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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
*(San Francisco)***

**DEFENDANT ADAM KHIMJI'S STATEMENT OF RECENT DECISIONS FOR
MOTION TO DISMISS AND/OR STAY [Docket #15]**

Case Number: 3:24-cv-09361-WHO

Pursuant to Local Rule 7-3(d)(2), Defendant respectfully bring to the Court's attention **three (3)** relevant decisions in relation to stays in favor of arbitration. In the current case, Defendant's motion to dismiss or stay Plaintiff's claims in favor of arbitration and pursuant to Federal Rules of Civil Procedure 12(b) and/or 9 U.S. Code § 3 remains pending in this Court as part of ECF No. 15.

1. A relevant decision issued in *Kroskey v. Elevate Labs, LLC, et al.*, Case No. 5:24-cv-08113-EJD (N.D. Cal.) on May 27, 2025. A true and correct copy of the decision is attached hereto as **Exhibit A**. The court in *Kroskey* granted the motion for dismissal or stay in favor of arbitration brought by defendants MindSnacks, INC. (a nonsignatory to the arbitration agreement) and Elevate Labs, LLC, and also deferred the question of arbitrability to the arbitrator.
2. A relevant decision issued in *Mullis v. J.P. Morgan Chase & Co, et al.*, Case No. 3:24-cv-01334-JES-MSB (S.D. Cal.) on May 29, 2025. A true and correct copy of the decision is attached hereto as **Exhibit B**. The court in *Mullis* granted the motion to compel arbitration and stay the case brought by nonsignatory defendants on the basis of equitable estoppel.
3. A relevant decision issued in *Reel Games, Inc. v, Euro Game Technology, Ltd., et al.*, Case No. 0:24-cv-60713-LEIBOWITZ (S.D. Fla.), on June 2, 2025. A true and correct copy of the decision is attached hereto as **Exhibit C**. The court in *Reel Games* granted the motion to dismiss the complaint and compel arbitration brought by the Defendants Euro Game Technology, Ltd. and EGT Multiplayer, Ltd.'s, a nonsignatory.

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1 Defendant also respectfully bring to the Court's attention **three (3)** relevant decisions in
2 relation to personal jurisdiction. In the current case, Defendant's motion to dismiss or stay for
3 lack of personal jurisdiction remains pending in this Court as part of ECF No. 15.

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- 5 1. A relevant decision issued in *Arbit v. Schneider Electric SE.*, Case No. 24-35 (9th
6 Cir.) on May 23, 2025 in a not for publication memorandum. A true and correct
7 copy of the decision is attached hereto as **Exhibit D**. The Ninth Circuit in *Arbit*
8 affirmed the District Court's dismissal of the trademark infringement action for
9 lack of personal jurisdiction. For the Court's convenience, a true and correct copy
10 of the District Court's decision is attached hereto as **Exhibit E**.
- 11
- 12 2. A relevant decision issued in *Haynes North America, Inc. v. Emanuelonline. com.*,
13 Case No. 2:24-cv-09359-CBM-MAA (S.D. Cal.) on May 23, 2025. A true and
14 correct copy of the decision is attached hereto as **Exhibit F**. The court in *Haynes*
15 *North America* denied the plaintiff's motion for preliminary injunction for alleged
16 copyright and trademark infringement due to lack of personal jurisdiction.
- 17
- 18 3. A relevant decision issued in *Yangtze Memory Technologies, Inc. v. Strand*
19 *Consult*, Case No. 24-cv-03454-NW. (N.D. Cal.) on May 20, 2025. A true and
20 correct copy of the decision is attached hereto as **Exhibit G**. The court in *Yangtze*
21 *Memory Technologies* granted the defendants' motion to dismiss for lack of
22 personal jurisdiction in a case involving alleged claims for trade libel and
23 violations of Cal. Bus. Prof. Code § 17200 et seq., and jurisdictional discovery
24 was not permitted.
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1 Date: June 10, 2025

Respectfully submitted,

2 By: Simon Lin

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